

**ROTHSTEIN | DONATELLI**

ATTORNEYS AT LAW

MARC M. LOWRY  
mlowry@rothsteinlaw.com

May 14, 2018

**VIA EMAIL & FIRST CLASS U.S. MAIL**

Office of General Counsel  
c/o General Counsel, Jim Brewster  
New Mexico Corrections Department  
P.O. Box 27116  
Santa Fe, NM 87502-0116  
Email: [nmcd-ipra@state.nm.us](mailto:nmcd-ipra@state.nm.us)

**RE: Inspection of Public Records Act Request**

Dear Mr. Brewster:

The following records request is submitted pursuant to the New Mexico Inspection of Public Records Act (NMSA 1978, § 14-2-1, *et. seq.*). I respectfully request copies of the following information/materials/documents/records in the custody or control of the New Mexico Corrections Department (“NMCD”), or an agency or subdivision thereof:

- Any and all documents and materials collected, secured, and/or maintained by the NMCD or any other employee or agent of the NMCD, including video records, regarding **North Unit Recreation Records for the period 9/14/2012 through 3/6/2014 at PNM North, Housing Units 1, 2 and 3 (by way of example, attached is a copy of the type of records we are seeking).**

Please advise me if this request does not describe all of the documents with sufficient specificity for you to make a reasonable response, and I will attempt to reformulate the request in a manner that meets your requirements. If the NMCD does not maintain these public records, please forward this request to the designated custodian of the requested records, and notify me of that action, including information required by NMSA 1978, § 14-2-8(E).

If this request encompasses exempt information that the NMCD will not release, then please either separate or retain the exempt documents or redact that information from documents that are otherwise non-exempt. If any requested documents/materials are purportedly exempt from disclosure pursuant to the New Mexico Inspection of Public Records Act, please specify the general nature of the document/materials and the statutory exemption that permits non-disclosure of such document, materials, or information. If documents are purportedly exempt because the documents reveal “law enforcement records that reveal confidential sources, methods, information or individuals accused but not charged with a crime,” (NMSA 1978, § 14-2-

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EXHIBIT

J

Office of General Counsel  
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New Mexico Corrections Department  
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1(A)(4)), please specify why the information falls under this exception by identifying the nature of the information or document without revealing the contents therein. *See generally Estate of Romero ex rel. Romero v. City of Santa Fe*, 2006-NMSC-028, 139 N. M. 671, 137 P.3d 611. Also, specify whether any documents/materials withheld pursuant to this exemption have ever been released to any other person or entity, including the federal government.

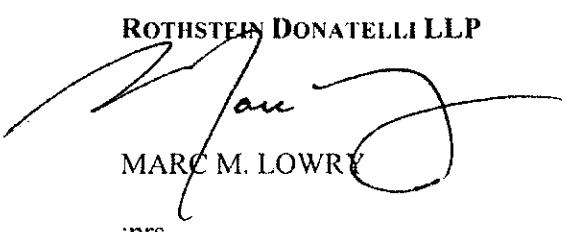
Please produce responsive documents/materials/records in electronic form, as soon as such documents/materials are located. Please contact me if the statutory 15-day production deadline cannot be met and we can discuss an alternative deadline. If possible, documents may be emailed to me my paralegal at [psanchez@rothsteinlaw.com](mailto:psanchez@rothsteinlaw.com) or to me at: [mlowry@rothsteinlaw.com](mailto:mlowry@rothsteinlaw.com).

If there are any charges in relation to the requested records, we will cover these costs. Please contact me at (505) 243-1443 to arrange payment. I would ask that a receipt indicating the copying charges be provided.

Thank you in advance for your assistance and prompt attention in this matter. Feel free to contact our office if you have any questions or concerns.

Respectfully,

**ROTHSTEIN DONATELLI LLP**

  
MARC M. LOWRY

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## NORTH UNIT RECREATION

Circle respective Unit: HU-1 HU-2

Hu-3

Shift Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

Yard Location: Yard 1 # 3 Number Yards Run: 2 Total of Inmates: 26

Inmate Name	NMCD#	REC/PEN#	Time in	Time out	Escorting Officer
-2 Aarhulseth m	1	172			Clo H.Ham
-1 Abel	2	630	7:54 AM		Clo Garza
-10 Canjilacion	3	6633	7:59 AM		Clo H.Ham
-3 Jash 14-6	4	8637	8:14 AM		Clo Garza
-2 G. Sierra	5	8640	8:15 AM		Clo H.Ham
-12 T.S. L.H.	6	644	8:14		Clo Garza
-7 Solisjida	7	647	815		Clo H.Ham
-3 J. M. -nd- 7	8	650	8:24 AM		Clo Garza
-5 Mancilla	9	657	820		Clo Garza
-7 C. Monasterio	10	653	825		Clo H.Ham
-6 D. Sanchez	11	655	828		Clo Garza
-7 F. Garcia	12	658	829		Clo H.Ham
-12 D. Gutierrez	13	703	7:51 AM		Clo Garza
			9:32		
-10 M. Hernandez	1	835	8:32 AM		Clo H.Ham
-11 J. Lira	2	834	839		Clo Garza
-10 J. Ruiz	3	838	840		Clo H.Ham
-4 O. De Vito-Torres	4	842	844		Clo H.Ham
-2 J. Perez	5	844			Clo H.Ham
-3 J. Hernandez	6	845			Clo H.Ham
-10 J. Hernandez	7	848			Clo Garza
-10 Rustamante	8	851			Clo Garza
-10 Otero	9	852			Clo Garza
-10 Ramirez	10	857			Clo Garza
-10 Valente	11	901			Clo Garza
-10 F. Vivero	12	907			Clo Garza
-10 Maldonado	13	917			Clo Aarhulseth

COMMENTS: \_\_\_\_\_  
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\_\_\_\_\_

Recreation Officer Assigned

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